

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL NO. 15-10338-FDS

UNITED STATES OF AMERICA

v.

Oscar Noe Recines-Garcia, Julio Esau Avalos-Alvarado, German Hernandez-Escobar, Noe Salvador Perez-Vasquez, Santos Portillo-Andrade, Herzzon Sandoval, Edwin Guzman, Jose Hernandez-Miguel, Edgar Pleitez, Christian Alvarado, Cesar Martinez, Erick Argueta Larios, Luis Solis-Vasquez, Carlos Melara, Joel Martinez, Jose Rene Andrade, Hector Enamorado, Henry Santos-Gomez, Rafael Leoner-Aguirre, Hector Ramires, Daniel Menjivar, Angel Pineda, Jose Vasquez, David Lopez, Bryan Galicia-Barillas, Domingo Tizol, Oscar Duran, Edwin Gonzalez, Henry Josue Parada Martinez, Kevin Ayala, Mario Aguilar Ramos, Rutilio Portillo, Edwin Diaz, Jairo Perez, Ramiro Guerra, Alexander Alvarenga, Manuel Flores-Valle, Carlos Lovato, Mauricio Sanchez, Jose Adan Martinez Castro, Rigoberto Mejia, Modesto Ramirez

ORDER OF EXCLUDABLE DELAY

Date: September 8, 2016

KELLEY, U.S.M.J.

A status conference was held September 8, 2016 and the case was continued to November 2, 2016 at 3:00 for a further status conference.

With the agreement of the parties, this court finds and concludes, pursuant to the provisions of 18 U.S.C. § 3161 (h)(7)(A) and (b)(ii), that the interests of justice, i.e., to conduct discovery, outweighs the best interests of the public and the defendant for a trial within seventy days of the return of an indictment.

Accordingly, it is hereby ordered that, pursuant to the provisions of 18 U.S.C. § 3161, the Clerk of this Court enter excludable time from the date of the initial appearance, September 8, 2016, up to and including the date of the next status conference, November 2, 2016.¹

¹The parties are hereby advised that under the provisions of Rule 2(b) of the Rules for United States

/ s / M. Page Kelley
M. PAGE KELLEY
UNITED STATES MAGISTRATE JUDGE

Magistrate Judges in the United States District Court for the District of Massachusetts, any party may move for reconsideration by a district judge of the determination(s) and order(s) set forth herein within fourteen (14) days after receipt of a copy of this order, unless a different time is prescribed by this court or the district judge. The party seeking reconsideration shall file with the Clerk of this Court, and serve upon all parties, a written notice of the motion which shall specifically designate the order or part thereof to be reconsidered and the basis for the objection thereto. The district judge, upon timely motion, shall reconsider the magistrate's order and set aside any portion thereof found to be clearly erroneous in fact or contrary to law. The parties are further advised that the United States Court of Appeals for this Circuit has indicated that failure to comply with this rule shall preclude further appellate review. See Keating v. Secretary of Health and Human Services, 848 F.2d 271 (1st Cir. March 31, 1988); United States v. Emiliano Valencia-Copete, 792 F.2d 4 (1st Cir. 1986); Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603 (1st Cir. 1980); United States v. Vega, 678 F.2d 376, 378-379 (1st Cir. 1982); Scott v. Schweiker, 702 F.2d 13, 14 (1st Cir. 1983); see also Thomas v. Arn, 474 U.S. 140, 106 S. Ct. 466 (1985).